

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA

- v. -

DANIELLE BURDUCEA,  
a/k/a "Danielle Brewer,"

Defendant.

- - - - - x

: **INFORMATION**

: 19 Cr.

**19 CRIM 086**

**COUNT ONE**

**(Conspiracy to Violate the Anti-Kickback Statute)**

The United States Attorney charges:

1. From at least in or about September 2014 up to and including in or about 2015, in the Southern District of New York and elsewhere, DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit an offense against the United States, to wit, to violate Title 42, United States Code, Section 1320a-7b(b) (2) (B).

2. It was a part and object of the conspiracy that DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, the defendant, and others known and unknown, willfully and knowingly would and did offer and pay remuneration (including kickbacks, bribes, and rebates), directly and indirectly, overtly and

covertly, in cash and in kind, to a person to induce such person to purchase, lease, order, and arrange for and recommend purchasing, leasing, and ordering a good, facility, service, and item for which payment may be made in whole and in part under a Federal health care program, to wit, BURDUCEA, while employed at a pharmaceutical company ("Pharma Company-1"), participated in a scheme to pay bribes and kickbacks to doctors in order to induce the doctors to prescribe a fentanyl-based sublingual spray (the "Fentanyl Spray") manufactured by Pharma Company-1, and thereby cause Federal health care programs, among other sources, to pay for the Fentanyl Spray prescriptions, in violation of Title 42, United States Code, Section 1320a-7b(b)(2)(B).

Overt Acts

3. In furtherance of this conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. In or about February 2015, DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, organized and attended multiple purported educational speaker programs regarding the Fentanyl Spray ("Speaker Programs") at restaurants located in New York, New York.

(Title 18, United States Code, Section 371.)

**COUNT TWO**  
**(Conspiracy to Commit Honest Services Wire Fraud)**

The United States Attorney further charges:

4. From at least in or about September 2014, up to and including in or about 2015, in the Southern District of New York and elsewhere, DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to violate Title 18, United States Code, Sections 1343 and 1346.

5. It was a part and object of the conspiracy that DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, and others known and unknown, having devised and intending to devise a scheme and artifice to defraud, and to deprive patients of their intangible rights to their doctors' honest services, knowingly would and did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Sections 1343 and 1346, to wit, BURDUCEA, while employed at Pharma Company-1, participated in a scheme to pay bribes and kickbacks to doctors, including Pharma Company-1 Speaker Program fees, in order to induce the doctors to

prescribe the Fentanyl Spray, thereby depriving their patients of their intangible rights to their doctors' honest services.

(Title 18, United States Code, Section 1349.)

**COUNT THREE**  
**(Aggravated Identity Theft)**

The United States Attorney further charges:

6. From at least in or about September 2014, up to and including in or about 2015, in the Southern District of New York and elsewhere, DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, knowingly transferred, possessed, and used, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, without authorization, BURDUCEA used, and aided and abetted the use of, the names, signatures, National Provider Identifier numbers, and state license numbers of doctors on sign-in sheets for Speaker Programs during and in relation to the honest services wire fraud offense charged in Count Two of this Information.

(Title 18, United States Code, Sections 1028A(a)(1),  
1028A(c)(5), and 2.)

**FORFEITURE ALLEGATION AS TO COUNT ONE**

7. As a result of committing the offense charged in Count One of this Information, DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, shall forfeit to the United

States, pursuant to Title 18, United States Code, Section 982(a)(7), any and all property, real and personal, that constitutes or is derived, directly and indirectly, from gross proceeds traceable to the commission of the offense charged in Count One of this Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offenses.

**FORFEITURE ALLEGATION AS TO COUNT TWO**

8. As a result of committing the offense charged in Count Two of this Information, DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), and Title 28, United States Code, Section 2461(c), any and all property, real and personal, which constitutes, or is derived from, proceeds traceable to the commission of said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.

**Substitute Asset Provision**

9. If any of the above-described forfeitable property, as a result of any act or omission of DANIELLE BURDUCEA, a/k/a "Danielle Brewer," the defendant, :

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third party;

c. has been placed beyond the jurisdiction of the court;

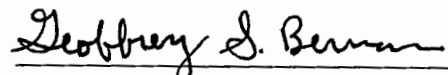
d. has been substantially diminished in value;

or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982;  
Title 21, United States Code, Section 853(p); and  
Title 28, United States Code, Section 2461.)



GEOFFREY S. BERMAN  
Acting United States Attorney  
Southern District of New York

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

DANIELLE BURDUCEA,  
a/k/a "Danielle Brewer,"

Defendant.

---

INFORMATION

19 Cr. \_\_

(18 U.S.C. §§ 371, 1028A(a)(1),  
1028A(c)(5), 1349 and 2.)

GEOFFREY S. BERMAN  
United States Attorney.

---

---